

REMARKS

Applicant respectfully requests reconsideration of this application as amended.

Office Action Rejections Summary

Claims 15-17 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Deao et al. (U.S. Patent No. 6,775,793), hereafter Deao.

Status of Claims

Claims 15-17 are pending in the application.

Claim Rejections

Claims 15-17 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Deao et al. (U.S. Patent No. 6,775,793), hereafter Deao.

Anticipation requires the presence, in a single prior art reference, disclosure of each and every element of the claims, arranged as in the claim. Claim 15 recites the features, "connecting an emulation device to a host computer having an original operating system and a host processor," "executing the emulated operating system located on the emulation device using the host processor of the host computer," and "activating an environmental shutdown by disabling the emulated operating system if necessary prevent interactions between the original operating system and the emulated operating system."

On page 3 of the Office Action, the Examiner takes the position that the claimed feature "connecting an emulation device to a host computer having an

original operating system and a host processor” is disclosed by Deao at column 4, lines 14-17, which states:

An embodiment of the present invention and its advantages are best understood by referring now in more detail to FIGS. 1-3 of the drawings, in which numerals refer to like parts.

Applicant respectfully submits that the cited portion of Deao does not disclose the claimed feature.

Also on page 3 of the Office Action, the Examiner takes the position that the claim language “multiple emulated operating systems” reads on the target interface module of Deao. The Office Action alleges that the claimed feature is disclosed by Deao in columns 11 and 12. During a phone call between Joe Sosinski and the Examiner on September 19, 2008, the Examiner further referred to column 5, lines 27-34 and 60-63, which discloses target interface modules that “support [the] particular target processor in use.” (Deao, col. 5, ll. 5-7). Nevertheless, the target interface modules are not executed on the host processor, since they are mere data that map between the emulator and the target processor. Thus, Deao does not disclose emulated operating systems as claimed.

Also on page 3 of the Office Action, the Examiner takes the position that Deao discloses the claimed feature of “activating an environmental shutdown by disabling the emulated operating system in response to interactions between the original operating system and the emulated operating system.” During a phone call with Joe Sosinski on September 23, 2008, the Examiner further referred to column 4, line 36. Deao states:

RTDX interface 112 provides various functions such as opening, enabling, disabling, reading, writing seeking, rewinding, and closing channels. A channel is a stream of data defined by the user, the development system, or target processor 160. (col. 4, ll. 34-39)

As stated above, the Examiner has previously taken the position that the claim language “multiple emulated operating systems” reads on Deao’s target interface modules. The disabling disclosed by Deao at the cited location is clearly referring to the disabling of channels, which are not target interface modules. Accordingly, rejecting the claimed feature based on this portion of Deao is logically inconsistent with the earlier rejection of the claimed multiple emulating operating systems. Even supposing, *arguendo*, that the logical inconsistency was not present, it is well known in the art that an operating system is not a stream of data. Thus, it would not be reasonable for the Examiner to interpret the claim language “multiple emulated operating systems” as reading on the streams of data disclosed by Deao. Therefore, Deao does not disclose the claimed feature.

Thus, Deao does not disclose each and every element of claim 15, and therefore cannot anticipate the claim. Claims 16 and 17 depend upon claim 15 and are therefore patentable over Deao for at least the reasons stated above. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §102(e).

Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

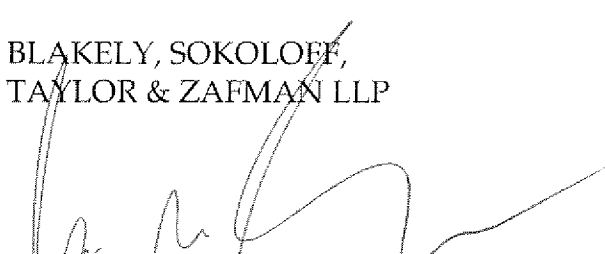
If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Joe Sosinski at (408) 720-8300.

If there are any additional charges, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

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